

NO. PD-1047-18

JOSE MUSA-VALLE ) IN THE COURT OF CRIMINAL APPEALS  
VS. ) CRIMINAL APPEALS OF  
THE STATE OF TEXAS ) THE STATE OF TEXAS

MOTION FOR EXTENSION OF TIME TO FILE PETITIONER'S  
BRIEF ON DISCRETIONARY REVIEW

TO THE HONORABLE JUDGES OF THE COURT OF CRIMINAL APPEALS:

Now comes Attorneys STEPHANIE STEVENS, ANNE BURNHAM and Student Attorneys LAUREN McCOLLUM and JESSICA JOHNSON, on behalf of PETITIONER JOSE MUSA-VALLE, and files this Motion pursuant to Tex. R. App. P. 68.2 and Tex. R. App. P. 10.5(b) asking this Honorable Court to extend the time for filing Petitioner's Brief. In support of this Motion, Petitioner shows the following:

**I.**

This Honorable Court granted Petitioner's Petition for Discretionary Review on January 9, 2019. Therefore, Petitioner's Brief on Discretionary Review is currently due on February 8, 2019. This is Mr. Musa-Valle's first request for an extension of time to file Petitioner's Brief on Discretionary Review.

**II.**

Because of ongoing commitments in the below listed legal matters,

undersigned counsel requires an additional fifteen (15) days to properly prepare and file Petitioner's Brief. For these reasons, undersigned counsel respectfully requests this Honorable Court to extend the deadline for filing Petitioner's Brief for fifteen days (15) days to February 23, 2019.

### **III.**

Undersigned counsel has been and will be involved in the below listed cases. Work on these cases has precluded the completion of Mr. Musa-Valle's Brief by the February 8, 2019 deadline:

1. *State of Texas v. Brianna Vasquez*, Cause No. 586272, County Court at Law No. 13, Bexar County, Texas, set 2/4/19.
2. *State of Texas v. Alejandro Avalos*, Cause No. 579683, County Court at Law No. 8, Bexar County, Texas, set February 12, 2019.
3. *State of Texas v. Elle Romero*, Cause No. 66027, County Court at Law No. 15, Bexar County, Texas, set February 21, 2019.
4. *In the Matter of C.R.*, Cause No. 2018JUV00852, 289<sup>th</sup> District Court, Bexar County, Texas, set February 18, 2019.
5. *State of Texas v. Angela Diaz*, Cause No. 596007, County Court at Law No. 12, Bexar County, Texas, set for February 20, 2019.
6. *State of Texas v. Kathia Moreno*, Cause No. B1671896-01, San Antonio Municipal Court, was set January 23, 2019 .

7. *Gloria Proo v. State of Texas*, Cause No. 04-17-00645-CR, Appeal  
before the Fourth Court of Appeals, oral argument occurred on  
January 24, 2019.

Undersigned counsel has been working diligently on the Petitioner's Brief,  
but needs an additional fifteen days to complete it. This request is made not for  
delay, but in the interest of justice to facilitate thorough preparation of the  
Petitioner's Brief on Discretionary Review.

### **PRAYER**

WHEREFORE, PREMISES CONSIDERED, Counsel for Petitioner prays that  
this Honorable Court grant a fifteen (15) day extension of time, to February 23, 2019,  
for the filing of Petitioner's Brief on Discretionary Review.

Respectfully submitted:

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Attorneys for Petitioner,  
JOSE MUSA-VALLE

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of appellant's Petition for Discretionary Review was electronically delivered to the District Attorney's Office, Bexar County Justice Center; 300 Dolorosa, San Antonio, Texas, and electronically delivered to the State Prosecuting Attorney's Office on this the 4<sup>th</sup> day of February, 2019.

/s/ Anne More Burnham  
ANNE MORE BURNHAM